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Letter dated 4 January 2013 from the Secretary-General addressed to the President of the Security Council

My Special Representative on Sexual Violence in Conflict, Zainab Hawa Bangura, visited the Central African Republic from 5 to 12 December 2012 in the framework of Security Council resolutions 1820 (2008), 1888 (2009) and 1960 (2010).

During the visit, two communiqués related to sexual violence in conflict were agreed with the Government of the Central African Republic and leaders of the main politico-military groups that form part of the Disarmament, Demobilization and Reintegration Steering Committee, namely Convention des patriotes pour la justice et la paix, Front démocratique du peuple centrafricain, Mouvement des libérateurs centrafricains pour la justice, Union des forces démocratiques pour le rassemblement and Union des forces républicaines (see annexes I and II).

The regrettable outbreak of conflict in the country since the visit of my Special Representative accentuates the need to urgently implement a number of the immediate protection-related commitments expressed in the communiqués. In particular, emphasis should be placed on the identification and early release of women and children from the politico-military groups, the issuance of clear command orders by the groups regarding sexual violence and the investigation of allegations of such violations to hold perpetrators accountable.

The commitments expressed in the communiqués represent the key priorities for the United Nations on the prevention of conflict-related sexual violence in the Central African Republic. I would be grateful if you could bring the present letter and its annexes to the attention of the members of the Security Council. My Special Representative stands ready to brief the Council in this regard.

(*Signed*) **BAN** Ki-moon

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Annex I

[Original: English and French]

Joint communiqué of the Government of the Central African Republic and the United Nations (Bangui, 12 December 2012)

The Special Representative of the Secretary-General on Sexual Violence in Conflict visited the Central African Republic from 5 to 12 December 2012 within the framework of Security Council resolutions 1820 (2008), 1888 (2009) and 1960 (2010). She met with President Francois Bozizé, the Prime Minister and other Government ministers and senior officials, the leadership of the national army and police, representatives of politico-military groups, women's groups, non-governmental organizations and survivors of sexual violence.

The objective of the visit was to gain first-hand knowledge of the context and challenges to addressing conflict-related sexual violence and to focus greater international attention on the situation in the Central African Republic. The Special Representative seeks to deepen dialogue and cooperation with the Government of the Central African Republic and to agree on a framework of cooperation whereby the United Nations may further strengthen its support to national institutions and initiatives on issues related to sexual violence in conflict.

In the past years, significant progress has been made to resolve the long-standing conflict in the country, with all the major parties signing the 2008 Libreville Comprehensive Peace Agreement and the October 2011 ceasefire agreement. However, incidents of sexual violence have been reported consistently, particularly in areas controlled by politico-military armed groups and where other armed forces and armed bandits are present. Women, girls and boys are still associated with many of the politico-military groups; they are used as combatants, cooks, porters, messengers and sex slaves. Widespread violations also continue to be committed by the Lord's Resistance Army operating in the Central African Republic. These include the abduction of women and girls and their use as sex slaves. There exists a deep culture of silence regarding crimes of sexual violence, which significantly affects reporting and response.

The Government has undertaken a number of important measures such as stipulating that human rights violations are to be considered as acts that breach the October 2011 ceasefire agreement; adopting legislation on the protection of women from violence (Law No. 06.032); revising the penal code and penal procedure act to recognize sexual violence, including rape, as a crime; incorporating provisions of the Protocol on the Prevention and Suppression of Sexual Violence against Women and Children of the International Conference on the Great Lakes Region into national legislation; and preparing a draft national action plan for the implementation of Security Council resolution 1325 (2000).

In accordance with Security Council resolution 1960 (2010) and the Protocol on the Prevention and Suppression of Sexual Violence against Women and Children of the International Conference on the Great Lakes Region, the Government of the Central African Republic reiterates its commitment to addressing sexual violence, including through the timely investigation and prosecution of such crimes and by holding perpetrators accountable.

In line with articles 1-6 of the Protocol, the Government of the Central African Republic and the United Nations are committed to strengthening cooperation in a number of critical areas:

(a) In the context of the implementation of the 2008 Libreville Comprehensive Peace Agreement, they are committed to strengthening support to the National Council for Mediation and ensuring that sexual violence is consistently monitored in the ceasefire verification mechanism;

(b) In the context of justice-sector reform, they are committed to reviewing and strengthening, on an ongoing basis, relevant national legislation, implementing of existing legislation such as the law on the prevention of violence against women, supporting the Office of the Attorney General to develop specialized investigation capacity for sexual violence crimes, training magistrates (including women magistrates and other women in the justice sector), building capacity for justice mechanisms at the local level, raising awareness among women on legal procedures and addressing the protection of women in traditional justice systems;

(c) In the context of security sector reform, they are committed to supporting the Ministry of Defence and the army in the elaboration and implementation of a zero-tolerance policy towards sexual violence and relevant codes of conduct, training military personnel on the prevention of sexual and other forms of gender-based violence and of HIV/AIDS, supporting the police and gendarmerie in the establishment of specialized units dealing with crimes against women and children, recruiting and training female officers, and making efforts to vet all elements being integrated into the national security and defence forces and institutions to ensure that those who have committed grave human rights violations, including sexual violence, are excluded from positions of leadership and responsibility;

(d) In the context of the disarmament, demobilization and reintegration process, they are committed to identifying the most vulnerable groups in the armed forces, such as women, girls and boys, and ensuring their early release, family reunification and socioeconomic reintegration through separate processes for adults and children (this is also in accordance with the action plans on the recruitment and use of children associated with armed forces and groups referred to in Security Council resolution 1612 (2005)), ensuring that women from civil society and local communities have access to and can influence the implementation of the disarmament, demobilization and reintegration process, including through regular consultation and engagement with the Minister for Social Affairs, National Solidarity and the Promotion of Gender and ensuring the awareness of ways to prevent HIV/AIDS are included in the disarmament, demobilization and reintegration process as a pre-reinsertion package;

(e) In the context of a programmatic response for survivors, they are committed to providing greater support for basic services for survivors, including in the clinical management of rape and psychosocial support, and support to national authorities in the development of a comprehensive national strategy on sexual and other forms of gender-based violence;

(f) In the context of operationalizing the National Human Rights Commission, they are committed to supporting national authorities, including through training for commissioners and supporting their work.

The United Nations and the Government of the Central African Republic stress that all armed forces and groups must make commitments to prevent and punish sexual violence crimes in line with Security Council resolution 1960 (2010), the Protocol on the Prevention and Suppression of Sexual Violence against Women and Children of the International Conference on the Great Lakes Region and the communiqué of the Disarmament, Demobilization and Reintegration Steering Committee on sexual violence in conflict of 12 December 2012 (see annex II). This includes issuing command orders regarding sexual violence, including rape and forced and early marriage, through their respective chains of command and political organizations, investigating allegations of sexual violence and holding perpetrators accountable.

The Government of the Central African Republic designates the Minister for Social Affairs, National Solidarity and the Promotion of Gender as the focal point to work with the United Nations to develop a strategy and implementation plan relating to the commitments outlined above. The Minister will convene a committee or commission bringing together all relevant Government ministries and agencies to coordinate action to address this concern.

The Government of the Central African Republic, together with partners, will commit resources for the implementation of the priorities outlined above and calls on donors to provide additional support, as appropriate.

The United Nations will continue to support the Government of the Central African Republic through the United Nations Integrated Peacebuilding Office in the Central African Republic, the United Nations country team, the Office of the Special Representative on Sexual Violence in Conflict, United Nations Action against Sexual Violence in Conflict and the Protection Cluster Working Group (the gender-based violence area of responsibility). The Team of Experts on the Rule of Law and Sexual Violence in Conflict, on invitation of the Government, will also support the implementation of a framework of cooperation in line with the priorities expressed in the present communiqué.

Annex II

[Original: English and French]

Communiqué of the Disarmament, Demobilization and Reintegration Steering Committee of the Central African Republic (Bangui, 12 December 2012)

The Special Representative of the Secretary-General on Sexual Violence in Conflict met with the Disarmament, Demobilization and Reintegration Steering Committee during her visit to the Central African Republic from 5 to 12 December 2012. The Steering Committee was constituted pursuant to the 2008 Libreville Comprehensive Peace Agreement, and consists of representatives of the Government of the Central African Republic; the leaders of the politico-military groups Convention des patriotes pour la justice et la paix, Front démocratique du peuple centrafricain, Mouvement des libérateurs centrafricains pour la justice, Union des forces démocratiques pour le rassemblement and Union des forces républicaines; the United Nations Integrated Peacebuilding Office in the Central African Republic, the United Nations Development Programme and the World Bank; the African Union; the European Union; the Government of France; and the Mission for the Consolidation of Peace in the Central African Republic.

The visit of the Special Representative was conducted within the framework of Security Council resolutions 1820 (2008), 1888 (2009) and 1960 (2010), which emphasize the need to develop effective mechanisms for providing protection from sexual violence to women and girls in all disarmament, demobilization and reintegration processes assisted by the United Nations.

The politico-military armed groups that are signatories to the 2008 Libreville Comprehensive Peace Agreement commit to prevent and address sexual and all other forms of gender-based violence. Accordingly, the Steering Committee emphasizes the following priorities, which are in line with the commitments of the Government of the Central African Republic as expressed in the Protocol on the Prevention and Suppression of Sexual Violence against Women and Children of the International Conference of the Great Lakes Region and in the joint communiqué of the Government of the Central African Republic and the United Nations on sexual violence in conflict of 12 December 2012 (see annex I):

(a) Identification and early release of all women, girls and boys associated with the politico-military groups signatories to the 2008 Libreville Comprehensive Peace Agreement and the October 2011 ceasefire agreement (this is also in accordance with the action plans on the recruitment and use of children associated with armed forces and groups referred to in Security Council resolution 1612 (2005));

(b) Issuance, by the politico-military groups signatories to the 2008 Libreville Comprehensive Peace Agreement, of clear command orders regarding sexual violence through their respective chains of command and political organizations, and the making of commitments to investigate allegations of sexual violence, including rape and forced and early marriage, and the holding of perpetrators of such violations accountable;

(c) Cooperation of politico-military groups with the Government in efforts to vet all elements being integrated into the national security forces and institutions to ensure that those who have committed grave human rights violations, including sexual violence, are excluded from positions of leadership and responsibility;

(d) Ensuring that women from civil society and local communities have access to and can influence the implementation of the disarmament, demobilization and reintegration process, including through regular consultation and engagement with the Minister for Social Affairs, National Solidarity and the Promotion of Gender.

All politico-military groups represented in the Steering Committee and falling under the auspices of the disarmament, demobilization and reintegration process will designate focal points to liaise with the Minister for Disarmament, Demobilization and Reintegration and the Special Representative of the Secretary-General in the Central African Republic, in their capacity as co-presidents of the Steering Committee, in order to prepare an implementation strategy and plan relating to the commitments outlined above.

Other members of the Steering Committee, as well as donors, are urged to provide resources and support, as appropriate, for the implementation of the commitments outlined above.

The United Nations will continue to support the Steering Committee in the implementation of the commitments outlined above through the United Nations Integrated Peacebuilding Office in the Central African Republic, the United Nations country team, the Office of the Special Representative on Sexual Violence in Conflict and the Team of Experts on the Rule of Law and Sexual Violence.